

**ORDINANCE NO. 20080110-094**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A VERTICAL MIXED USE BUILDING (V) COMBINING DISTRICT TO TRACT 327 AND TO AMEND THE ZONING MAP TO CHANGE THE BOUNDARIES OF THE VERTICAL MIXED USE OVERLAY (VMU) DISTRICT TO EXCLUDE TRACT 323 LOCATED IN THE GREATER SOUTH RIVER CITY COMBINED NEIGHBORHOOD PLAN AREA.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a vertical mixed use building (V) combining district to Tract 327 (the "Property") described in Zoning Case No. C14-2007-0224 (Part), on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 2.8 acres of land in the City of Austin, Travis County, Texas, as shown on in the tract map attached as Exhibit "A" (*Greater South River City Planning Area*),

located in the Greater South River City combined neighborhood plan, locally known as the area bounded by Lady Bird Lake on the north, IH-35 on the east, Ben White Boulevard on the south, and South Congress Avenue on the west, in the City of Austin, Travis County, Texas, and identified in the map attached as Exhibit "B" (*the Zoning Map*).

**PART 2.** The zoning district is changed from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to community commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district and general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district as more particularly described and identified in the chart below:

| Tract # | TCAD Property ID | COA Address   | FROM     | TO         |
|---------|------------------|---|----------|------------|
| 327     | 734360           | 130 E Ben White Blvd WB   | CS-CO-NP | CS-V-CO-NP |
|         |                  | 150 E Ben White Blvd WB   |          |            |
|         | 734361           | 3907 S Congress Ave<br>3909 S Congress Ave<br>3909-1/2 S Congress Ave | GR-CO-NP | GR-V-CO-NP |

**PART 3.** Except as specifically provided in this ordinance, the existing base zoning districts, combining districts, and other conditions remain in effect.


**PART 4.** The Property identified as Tract 327 is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

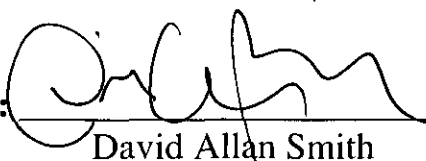
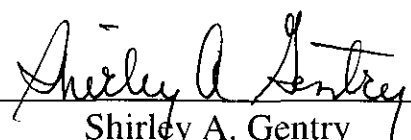
- A. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
- B. The Property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).
- C. For property in office districts, the additional uses allowed under Article 4.3.3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.
- D. Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income.

**PART 5.** The zoning map is amended to change the boundaries of the vertical mixed use (VMU) overlay district to exclude Tract 323 located at 2715 South Congress Avenue and identified on Exhibit "A". Tract 323 is not subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*).

**PART 6.** This ordinance takes effect on January 21, 2008.

**PASSED AND APPROVED**

\_\_\_\_\_, January 10, 2008      §  
§  
§ \_\_\_\_\_   
Will Wynn  
Mayor

APPROVED:  \_\_\_\_\_ ATTEST:  \_\_\_\_\_  
David Allan Smith      Shirley A. Gentry  
City Attorney      City Clerk

